

186.440 Persons ineligible for operator's license -- Reinstatement fee and exemption.

An operator's license shall not be granted to:

- (1) Any person who is not a resident of Kentucky;
- (2) Any person under the age of sixteen (16);
- (3) Any person under the age of eighteen (18) who holds a valid Kentucky instruction permit issued pursuant to KRS 186.450, but who has not graduated from high school or who is not enrolled and successfully participating in school or who is not being schooled at home, except those persons who satisfy the District Court of appropriate venue pursuant to KRS 159.051(3) that revocation of their license would create an undue hardship. Persons under the age of eighteen (18) shall present proof of complying with the requirements of KRS 159.051;
- (4) Any person whose operator's license has been suspended, during the period of suspension, subject to the limitations of KRS 186.442;
- (5) Any person whose operator's license has been revoked, nor to any nonresident whose privilege of exemption under KRS 186.430 has been refused or discontinued, until the expiration of the period for which the license was revoked, or for which the privilege was refused or discontinued;
- (6) Any applicant adjudged incompetent by judicial decree;
- (7) Any person who in the opinion of the State Police, after examination, is unable to exercise reasonable and ordinary control over a motor vehicle upon the highways;
- (8) Any person who is unable to understand highway warnings or direction signs in the English language;
- (9) Any person required by KRS 186.480 to take an examination who has not successfully passed the examination;
- (10) Any person required by KRS Chapter 187 to deposit proof of financial responsibility, who has not deposited that proof;
- (11) Any person who has not filed a correct and complete application attested to in the presence of a person authorized to administer oaths;
- (12) Any person who cannot meet the requirements set forth in KRS 186.411(1) or (3);
or
- (13) Any person whose operator's license has been suspended or revoked under the provisions of KRS Chapter 186, 187, or 189A until the person has forwarded to the cabinet a reinstatement fee of fifteen dollars (\$15). The fee shall be paid by certified check or money order payable to the State Treasurer who shall deposit five dollars (\$5) of the fee in a trust and agency fund to be used in defraying the costs and expenses of administering a driver improvement program for problem drivers. Ten dollars (\$10) of the fee shall be deposited by the State Treasurer in a trust and agency account to the credit of the Administrative Office of the Courts and shall be used to assist circuit clerks in hiring additional employees, providing salary adjustments for employees, providing training for employees, and purchasing additional equipment used in administering the issuance of driver's licenses. The

provisions of this subsection shall not apply to any person whose license was suspended for failure to meet the conditions set out in KRS 186.411 when, within one (1) year of suspension, the driving privileges of the individuals are reinstated or to any student who has had his license revoked pursuant to KRS 159.051.

Effective: June 24, 2003

History: Amended 2003 Ky. Acts ch. 189, sec. 2, effective June 24, 2003. -- Amended 2002 Ky. Acts ch. 264, sec. 6, effective July 15, 2002. -- Amended 1998 Ky. Acts ch. 442, sec. 5, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 198, sec. 4, effective October 1, 1996; and ch. 341, sec. 10, effective July 15, 1996. -- Amended 1994 Ky. Acts ch. 267, sec. 1, effective July 15, 1994; ch. 416, sec. 7, effective July 15, 1994; and ch. 455, sec. 3, effective July 15, 1994. -- Amended 1990 Ky. Acts ch. 63, sec. 1, effective July 13, 1990; and ch. 234, sec. 2, effective July 13, 1990. -- Amended 1986 Ky. Acts ch. 123, sec. 1, effective July 15, 1986. -- Amended 1980 Ky. Acts ch. 88, sec. 1, effective July 15, 1980. -- Amended 1978 Ky. Acts ch. 92, sec. 8, effective June 17, 1978. -- Amended 1974 Ky. Acts ch. 306, sec. 2. -- Amended 1966 Ky. Acts ch. 78, sec. 1; and ch. 255, sec. 170. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2739m-37.

Legislative Research Commission Note (7/15/94). This section was amended by 1994 Ky. Acts chs. 267, 416, and 455. Where these Acts are not in conflict, they have been codified together. Where a conflict exists, Acts ch. 416, which was last enacted by the General Assembly, prevails under KRS 446.250.